

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

TH. ED. MAGEE
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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

: CASE NO.

Plaintiff,

:

v.

:

DARYL ROBERT HARRISON, (1)
a/k/a Daryl R. Attipoe, a/k/a Prince
Daryl R. Attipoe, a/k/a Prophet Daryl
R. Attipoe
(COUNTS 1 - 16)

: INDICTMENT
18 U.S.C. § 1341
18 U.S.C. § 1343
18 U.S.C. § 1349
18 U.S.C. § 1512(b)(3)

ROBERT SHELLY HARRISON, JR. (2)
(COUNT 1)

: FORFEITURE

:

Defendants.

8 20 cr 105 J. COLE

THE GRAND JURY CHARGES THAT:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment, unless otherwise indicated:

1. **DARYL ROBERT HARRISON** was the stepson of defendant **ROBERT SHELLY HARRISON, JR.**

2. **DARYL ROBERT HARRISON** and **ROBERT SHELLY HARRISON, JR.** both professed to be religious ministers affiliated with a congregation known as the Power House of Prayer Ministries (hereinafter referred to as "PHOP").

3. Beginning approximately January 1, 2014, and continuing until the date of this Indictment, PHOP sponsored religious services in various rented church facilities and private residences located throughout the Greater Dayton, Ohio area, the Southwestern Ohio area, and Parker, Colorado.

COUNT 1
[18 U.S.C. § 1349]
(Conspiracy to Commit Mail Fraud and Wire Fraud)

4. Beginning on an exact date unknown, but at least by on or about October 31, 2013, and continuing up to and including up to at least May 6, 2020, in the Southern District of Ohio and elsewhere, the defendants **DARYL ROBERT HARRISON** and **ROBERT SHELLY HARRISON, JR.**, did knowingly and willfully conspire to:

- a. commit mail fraud, that is, to devise and intend to devise a scheme and artifice to defraud investors, and to obtain money and property from investors, by means of material false and fraudulent pretenses, representations, and promises, and for the purpose of executing and attempting to execute such a scheme and artifice, to deposit and cause to be deposited any matter or thing whatever to be sent and delivered by any private or commercial interstate carrier, and to knowingly cause to be delivered by such carrier according to the direction thereon, any such matter or thing, in violation of Title 18, United States Code, Section 1341; and
- b. wire fraud, that is, to devise and intend to devise a scheme and artifice to defraud investors, and to obtain money and property from investors, by means of material false and fraudulent pretenses, representations and promises, and for the purpose of executing and attempting to execute such a scheme and artifice, to transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds, in violation of Title 18, United States Code, Section 1343.

OBJECT OF THE CONSPIRACY

5. It was the object of the conspiracy for the defendants to unjustly enrich themselves and PHOP by soliciting monies from investors using false and fraudulent pretenses, representations and promises, and converting those monies for defendants' personal benefit and for the benefit of PHOP without the knowledge or authorization of the investors.

THE MANNER AND MEANS

6. The manner and means by which the defendants sought to accomplish the object of the conspiracy included, among others, the following:

a. In January of 2014, **ROBERT SHELLY HARRISON, JR.** registered with the Ohio Secretary of State a non-profit limited liability company (LLC) named "Power House of Prayer Ministries." In August of 2014, **ROBERT SHELLY HARRISON, JR.** registered with the Ohio Secretary of State a for-profit LLC named "New Max Groups, LLC."

b. Between October 2014 and November 2017, **DARYL ROBERT HARRISON** and/or **ROBERT SHELLEY HARRISON, JR.** opened bank accounts at J.P. Morgan Chase Bank and First Financial Bank in the names of Power House of Prayer Ministries and/or New Max Groups, LLC.

c. Between July 2015 and March 2020, **DARYL ROBERT HARRISON** solicited individual investors to invest in purported African trucking operations, and diamond and chromium mining enterprises, all of which he represented were operated and managed by Ghana-based entities named Newmax Groups, d/b/a Trade Equity; Newmax Groups, d/b/a NMG Oil and Natural Gas; Newmax Mines, LLC; and/or New Max Groups, LLC (collectively referred to hereinafter as "Newmax").

d. When meeting with prospective and actual investors, **DARYL ROBERT HARRISON** used alias names, to include "Daryl R. Attipoe," and "Prince Daryl R. Attipoe," and falsely held himself out to be a royal prince from the African nation of Ghana.

7. To induce investors to invest in Newmax, **DARYL ROBERT HARRISON** made materially false and fraudulent representations and promises to the investors, including that: (1) he had a collection of well-diversified investment offerings available for prospective investors; (2) he had a direct line of contact with an African mining company known as Newmax; (3) his Newmax investment offerings were expected to yield rates of return ranging from 28%-33%; (4) all tendered investor funds would be guaranteed to be safe and secure; (5) any and all investor funds could be withdrawn upon demand, with certain identified caveats; and (6) investors would receive periodic account statements.

8. **DARYL ROBERT HARRISON** communicated with investors using telephone calls and text messages, and disseminated investment-related materials to investors using interstate commercial carriers.

9. Once investors agreed to invest in Newmax, **DARYL ROBERT HARRISON** instructed the investors to tender checks made payable to PHOP or Newmax. **DARYL ROBERT HARRISON** and **ROBERT SHELLY HARRISON** then deposited or caused the deposit of the investors' checks into the bank accounts opened in the names of Power House of Prayer Ministries and New Max Groups, LLC at J.P. Morgan Chase Bank and First Financial Bank.

10. Without the knowledge or authorization of investors, **DARYL ROBERT HARRISON** and **ROBERT SHELLY HARRISON, JR.**, caused the deposited investor monies to be fraudulently diverted for their personal use, enjoyment, and benefit, to include the following uses: rental payments for a Parker, Colorado, residence used by **DARYL ROBERT HARRISON**; the purchase of luxury automobiles; and the purchase of airplane tickets, hotel accommodations, and rental cars. **DARYL ROBERT HARRISON** and **ROBERT SHELLY HARRISON, JR.** also fraudulently diverted investor monies to provide payments to other investors and to pay PHOP-related expenses. **ROBERT SHELLY HARRISON, JR.** routinely withdrew thousands of dollars in cash from the bank accounts within days of the deposits being made.

11. Following receipt of investor monies, **DARYL ROBERT HARRISON** failed to provide investors with interest payments, routinely terminated all communications with investors, ignored individual investor inquiries, and ignored demands from investors seeking the return of investment monies.

12. **DARYL ROBERT HARRISON** and **ROBERT SHELLY HARRISON, JR.** engaged in conduct to conceal their scheme to defraud, including by instructing investors to not speak to federal investigators and by making payments to investors in connection with those instructions.

13. As a result of **DARYL ROBERT HARRISON**'s fraudulent misrepresentations, approximately 14 investors, including investors located in the Southern District of Ohio, provided over \$800,000 to **DARYL ROBERT HARRISON** and **ROBERT SHELLY HARRISON, JR.**

All in violation of Title 18, United States Code, Section 1349.

COUNTS 2 THROUGH 4
[18 U.S.C. § 1341]
(Mail Fraud)

14. The Introductory Allegations in paragraphs 1-3 are realleged and incorporated by reference as though set forth herein.

15. Paragraphs 6-13 are realleged and incorporated by reference as though set forth herein as a description of the scheme and artifice referred to below.

16. On or about the dates specified as to each count below, in the Southern District of Ohio and elsewhere, the defendant **DARYL ROBERT HARRISON**, with intent to defraud and having devised and intending to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing and attempting to execute such a scheme and artifice, did knowingly deposit and cause to be deposited any matter or thing whatever to be sent and delivered by any private or commercial interstate carrier, and knowingly caused to be delivered by such carrier

according to the direction thereon, any such matter or thing, as described below:

Count	Date (On or About)	Description of Matter or Thing	Private or Commercial Interstate Carrier
2	March 27, 2020	Parcel to investor "P.B." containing a fraudulent investment contract, addressed to "P.B." at "***7 Fox Chase Way, Maineville, Ohio 45039-9261" and sent from Colorado	United Parcel Service
3	May 19, 2020	Parcel delivered to investor "P.B." containing a money order, addressed to "P.B." at "***7 Fox Chase Way, Maineville, Ohio 45039-9261" and sent from Colorado	United Parcel Service
4	June 4, 2020	Parcel delivered to investor "P.B." containing a money order, addressed to "P.B." at "***7 Fox Chase Way, Maineville, Ohio 45039-9261" and sent from Colorado	United Parcel Service

In violation of Title 18, United States Code, Section 1341.

COUNTS 5 THROUGH 13
[18 U.S.C. § 1343]
(Wire Fraud)

17. The Introductory Allegations in paragraphs 1-3 are realleged and incorporated by reference as though set forth herein.

18. Paragraphs 6-13 are realleged and incorporated by reference as though set forth herein as a description of the scheme and artifice referred to below.

19. On or about the dates specified as to each count below, in the Southern District of Ohio and elsewhere, the defendant **DARYL ROBERT HARRISON**, with intent to defraud and having devised and intending to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing and attempting to execute such a scheme and artifice, did knowingly cause to be transmitted, in interstate commerce, by means of wire communications, certain writings, signs, signals and sounds in the manner described below:

Count	Date (On or About)	Wire Transmission
5	December 23, 2019	Text message concerning paperwork associated with potential future investment sent from DARYL ROBERT HARRISON , who was located in Colorado and using cell phone number 202-830-5263, to investor "P.B.," who was located in the Southern District of Ohio.
6	January 3, 2020	Text message concerning money used to pay investor "P.B.'s" taxes sent from DARYL ROBERT HARRISON , who was located in Colorado and using cell phone number 202-830-5263, to investor "P.B.," who was located in the Southern District of Ohio.
7	March 2, 2020	Text message concerning avoiding future contact with federal law enforcement investigator sent from DARYL ROBERT HARRISON , who was located in Colorado and using cell phone number 202-830-5263, to investor "A.Z.," who was located in the Southern District of Ohio.
8	March 9, 2020	Text message concerning funding for future investments in precious metals sent from DARYL ROBERT HARRISON , who was located in Illinois and using cell phone number 202-830-5263, to investor "P.B.," who was located in the Southern District of Ohio.
9	March 10, 2020	Text message concerning obtaining funds on previous investments sent from DARYL ROBERT HARRISON , while traveling between Belgium and Liberia and using cell phone number 202-830-5263, to investor "A.Z.," who was located in the Southern District of Ohio.
10	March 12, 2020	Text message and voicemail concerning funds for future investments in precious metals sent from DARYL ROBERT HARRISON , who was located in or near Liberia and using cell phone number 202-830-5263, to investor "P.B.," who was located in the Southern District of Ohio.
11	May 6, 2020, at approximately 12:54 p.m.	Phone call concerning investments, money, and avoiding future contact with law enforcement made by DARYL ROBERT HARRISON , who was located in Colorado, to investor "P.B.," who was located in the Southern District of Ohio.
12	May 6, 2020, at approximately 1:00 p.m.	Phone call concerning investments, money, and avoiding future contact with law enforcement made by DARYL ROBERT HARRISON , who was located in Colorado, to investor "P.B.," who was located in the Southern District of Ohio.

Count	Date (On or About)	Wire Transmission
13	May 6, 2020, at approximately 1:18 p.m.	Phone call concerning investments, money, and avoiding future contact with law enforcement made by DARYL ROBERT HARRISON , who was located in Colorado, to investor "P.B.," who was located in the Southern District of Ohio.

In violation of Title 18, United States Code, Section 1343.

COUNT 14
[18 U.S.C. § 1512(b)(3)]
(Witness Tampering)

20. On or about March 2, 2020, in the Southern District of Ohio and elsewhere, the defendant **DARYL ROBERT HARRISON**, did knowingly intimidate, threaten or corruptly persuade investor "A.Z.", and attempted to do so, and engaged in misleading conduct toward "A.Z.", with the intent to hinder, delay and prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense.

In violation of Title 18, United States Code, Section 1512(b)(3).

COUNT 15
[18 U.S.C. § 1512(b)(3)]
(Witness Tampering)

21. On or about April 7, 2020, in the Southern District of Ohio and elsewhere, the defendant **DARYL ROBERT HARRISON**, did knowingly intimidate, threaten or corruptly persuade investor "P.B.", and attempted to do so, and engaged in misleading conduct toward "P.B.", with the intent to hinder, delay and prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense.

In violation of Title 18, United States Code, Section 1512(b)(3).

COUNT 16
[18 U.S.C. § 1512(b)(3)]
(Witness Tampering)

22. On or about May 6, 2020, in the Southern District of Ohio and elsewhere, the defendant **DARYL ROBERT HARRISON**, did knowingly intimidate, threaten or corruptly persuade investor “P.B.”, and attempted to do so, and engaged in misleading conduct toward “P.B.”, with the intent to hinder, delay and prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense.

In violation of Title 18, United States Code, Section 1512(b)(3).

FORFEITURE ALLEGATION

Upon conviction of one or more of the offenses set forth in Counts 1 through 13 of this Indictment, the defendants, **DARYL ROBERT HARRISON** and **ROBERT SHELLY HARRISON, JR.**, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violation(s), including but not limited to:

- a. A sum of money equal to the amount of proceeds the defendants obtained as a result of the offense(s); and
- b. A 2015 Dodge Viper, VIN 1C3ADEA27FV510090, with all attachments thereon.

SUBSTITUTE ASSETS

If any of the property described in the forfeiture allegation above, as a result of any act or omission of the defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendants, up to the value of the property described above.

A TRUE BILL

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FOREPERSON

DAVID M. DEVILLERS
United States Attorney

Dwight K. Keller
DWIGHT K. KELLER (0074533)
Assistant United States Attorney